

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated November 29, 2010 has been received and its contents carefully reviewed.

Claims 19 and 20 are hereby amended. Support for these amendments may be found at least at, for example, ¶ [0061] of the Specification as originally filed. Thus, no new matter has been added. Claims 19 and 20 are currently pending. Reexamination and reconsideration of the pending claims are respectfully requested.

The Office has rejected claims 19 and 20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2006/0047677 to Lin et al. (hereinafter “*Lin*”) in view of U.S. Patent No. 7,028,312 to Merrick et al. (hereinafter “*Merrick*”). *Office Action* at pages 3-5. Applicants respectfully traverse this rejection and request reconsideration.

Independent claims 19 and 20 are allowable over the cited references in that claims 19 and 20 recite a combination of elements including, for example, “the downloading request includes an information field indicating a number of re-transmission of the downloading request [and checking] whether or not the downloading request is a duplicated message based on the information field.” The combined teachings of *Lin* and *Merrick* do not disclose, expressly or inherently, at least these features of the claimed invention.

More specifically, *Lin* fails to teach or suggest that “an information field indicating a number of re-transmission of the downloading request” in its downloading request. It logically follows that *Lin* also fails to teach or suggest that a controller can “check whether or not the downloading request is a duplicated message based on the information field” as recited in claims 19 and 20. *Merrick* cannot cure this deficiency of *Lin*. *Merrick* is introduced only for a teaching of “extracting as many arguments as necessary according to a version of a transmitting protocol applied to the electric device, and discarding remaining arguments when the remaining

arguments exist." *Office Action* at page 5. However, *Merrick* also fails to teach or suggest the above identified features of claims 19 and 20. Thus, *Merrick* cannot cure the deficiency of *Lin*.

For at least these reasons, Applicants respectfully request that the Office withdraw the 35 U.S.C. § 103(a) rejection of independent claims 19 and 20.

CONCLUSION

Early, favorable action is respectfully solicited. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

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Respectfully submitted,

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